

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorney for Debtor

In Re:  
Edward J. Malnak



Order Filed on February 4, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 17-16588

Hearing Date: 1/31/2019

Chapter: 13

Judge: Michael B. Kaplan

**ORDER AUTHORIZING  
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is  
**ORDERED.**

**DATED: February 4, 2019**

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 1038 Deerhaven Terrace, Stewartsville, NJ, New Jersey (the Real Property).

**IT IS** hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional:	Robert J. Ellwood, Jr., Esq.	Jennifer Milo	Donna Chingery
Amount to be paid:	\$1,300.00	\$3,247.50	\$5,212.50
Services rendered:	Real Estate Attorney	Real Estate Agent	Real Estate Agent

**OR:** ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 23,675.00 claimed as exempt may be paid to the Debtor.
6. The ☐ *balance of proceeds* or the ☒ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

rev.8/1/15

Certificate of Notice Page 4 of 4  
United States Bankruptcy Court  
District of New Jersey

In re:  
Edward J. Malnak  
Debtor

Case No. 17-16588-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Feb 04, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 06, 2019.

db #+Edward J. Malnak, 1038 Deerhaven Terrace, Stewartsville, NJ 08886-2919

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 06, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 4, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Andrew G. Greenberg on behalf of Debtor Edward J. Malnak a.greenberglawfirm@verizon.net  
Denise E. Carlon on behalf of Creditor ROUNDPOINT MORTGAGE SERVICING CORPORATION  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Rebecca Ann Solarz on behalf of Creditor ROUNDPOINT MORTGAGE SERVICING CORPORATION  
rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5